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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YONY SOSA, ON BEHALF OF HIMSELF
AND ALL OTHER PERSONS
SIMILARLY SITUATED,

Plaintiff,

v.

ZARA USA, INC.,

Defendant.

Case No.: 19-cv-10958-LGS

**DEFENDANT'S NOTICE OF
MOTION TO DISMISS**

ORAL ARGUMENT REQUESTED

PLEASE TAKE NOTICE that, upon the Declaration of Sean J. Kirby, dated March 12, 2020, with exhibit, the accompanying Memorandum of Law in Support, and any and all prior pleadings and proceedings herein, Defendant Zara USA, Inc. ("Defendant"), by and through its undersigned counsel, Sheppard, Mullin, Richter and Hampton LLP, will move this Court before the Honorable Lorna G. Schofield, on a date and at a time designated by the Court, at Courtroom 1106 at the Courthouse located at 40 Foley Square, New York, NY 10007, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, for an Order: (i) dismissing Plaintiff Yony Sosa's ("Plaintiff") First Amended Complaint in its entirety; (ii) denying Plaintiff leave to amend his First Amended Complaint; and (iii) granting such other and further relief, including costs and attorneys' fees, as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Order dated January 31, 2020 (Dkt. No. 17), opposition papers to this motion shall be served by April 2, 2020, and reply papers shall be served by April 9, 2020.

PLEASE TAKE FURTHER NOTICE that Defendant respectfully requests oral argument on its motion.

Dated: March 12, 2020

Sheppard, Mullin, Richter & Hampton LLP

/s/ Sean J. Kirby

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